

Department of Defense  
**INSTRUCTION**  
**AD-A269 181**



AD(FM&P)  
72-7272  
May 9, 1988  
NUMBER 1322.19

ASD(FM&P)

SUBJECT: Voluntary Education Programs in Overseas Areas

- References: (a) Public Law 99-145, section 1212 (to be codified at Title 10, United States Code, Section 113 note)  
(b) DoD Directive 1322.8, "Voluntary Education Programs for Military Personnel," July 23, 1987

A. PURPOSE

This Instruction:

1. Prescribes uniform procedures and assigns responsibilities for the Military Services to avoid the unnecessary duplication of postsecondary education offerings in overseas areas under references (a) and (b).

2. Under reference (a):

a. Reflects the statutory requirement, subject to the exceptions in paragraph A.2.b., below, that no solicitation, contract, or agreement for off-duty postsecondary education services for military members, DoD civilian employees, or the dependents of such military members or employees, other than for services at the graduate or postgraduate level, may limit the offering of such services or any group, category, or level of courses to a single academic institution.

b. Prescribes criteria for avoiding the unnecessary duplication of educational services by exercising the authority in P.L. 99-145 (reference (a)) to grant exceptions, when required, to paragraph A.2.a., above.

B. APPLICABILITY AND SCOPE

This Instruction:

1. Applies to the Office of the Secretary of Defense (OSD) and the Military Departments.

2. Shall be extended to all persons seeking or receiving off-duty postsecondary education services, as described in paragraph A.2.a., above.

C. RESPONSIBILITIES

1. Each Overseas Theater Commander shall implement this Instruction and may:

a. When necessary to avoid unnecessary duplication of offerings of postsecondary education services, authorize the issuance of solicitations and the execution of contracts and agreements that limit the provision of such

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offerings at one or more installations to one institution or a prescribed maximum number of institutions.

b. Delegate the authority in Subsection C.a., above, but not below the level of a general or flag officer, or a civilian equivalent.

#### D. PROCEDURES

1. Under this Instruction, "unnecessary duplication" means the provision of education services by two or more potential offerers which, because of such duplication, is determined to have an adverse effect on the provision of the education services provided in the theater concerned, consistent with ensuring the maximum availability of alternative offerers of such services.

2. One or more of the following criteria must be satisfied to limit the number of providers of postsecondary education services:

a. The demographic distribution of the potential student population prevents the effective delivery of postsecondary education services by multiple offerers.

b. Adequate classroom and administrative space to meet education program needs is not available to multiple providers.

c. DoD educational staff needed to manage education programs at the installation level are not available.

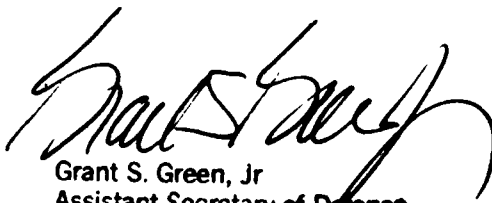
d. The theater commander cannot provide reasonable logistic support to installations and persons employed in providing education programs if there are multiple providers. Logistic support includes supplies, services, facilities, transportation, privileges and other benefits provided to non-governmental entities or individuals.

3. Where necessary, the enrollments generated at large installations may be used to balance the enrollments at small or remote locations to provide for economies of scale and to ensure availability of the widest range of education services possible at reasonable tuition rates, consistent with section D.1. of this Instruction.

#### E. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward one copy of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.

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Grant S. Green, Jr.  
Assistant Secretary of Defense  
Force Management and Personnel